

IN THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application. Please amend claims 1, 5-6, 10, 15, 17, 19, 23, 24, 28, 31, and 33, and add new claims 70-77 as follows:

Listing of Claims

1. (Currently Amended) A data transmission device comprising:

a first generator for generating a first data stream that is utilized after the first data stream is accumulated in a recording medium on a receiving side;

a second generator for generating a second data stream that includes audio data and video data;

a multiplexer for multiplexing the first data stream at a first coding rate and for additionally multiplexing the first data stream having the first coding rate into the second data stream by changing a transmission rate of the first data stream to a second coding rate lower than the first coding rate;

a transmitter for transmitting the multiplexed data stream that has been multiplexed by the multiplexer; and

a controller for controlling the multiplexer so that ~~[[a]]~~ the transmission rate for the first data stream becomes lower than that for the second data stream;

~~wherein a maximum combined transmission rate for said multiplexed data stream is 24 Mbps.~~

2. (Original) A data transmission device according to claim 1, wherein said first data stream includes data relating to an electronic-commercial transaction.

3. (Original) A data transmission device according to claim 1, wherein said first data stream includes audio data and video data.

4. (Canceled)

5. (Currently Amended) A data transmission device according to claim 70 ~~[[1]]~~, wherein a transmission rate for said first data stream is about 2 Mbps.

6. (Currently Amended) A data receiving device comprising:
a receiver for receiving a multiplexed data stream, in which a first data stream, which is utilized after the first data stream is accumulated in a recording medium on a receiving side, and a second data stream including audio data and video data are multiplexed into the multiplexed data stream in such a manner that the first data stream having a first coding rate is multiplexed into the second data stream by changing a transmission rate of the first data stream to a second coding rate lower than the first coding rate wherein ~~[[a]]~~ the transmission rate for the first data stream becomes lower than that for the second data stream;

~~wherein a maximum combined transmission rate for said multiplexed data stream is 24 Mbps;~~

a separator for separating the multiplexed data stream, which has been received by the receiver, into the first data stream and the second data stream; and

a recorder for recording the first data stream, which has been separated by the separator, on a recording medium.

7. (Original) A data receiving device according to claim 6, wherein said first data stream includes data relating to electronic-commercial transaction.

8. (Original) A data receiving device according to claim 6, wherein said first data stream includes audio data and video data.

9. (Canceled)

10. (Currently Amended) A data receiving device according to claim 71 [[6]], wherein a transmission rate for said first data stream is about 2 Mbps.

11. (Original) A data receiving device according to claim 6, wherein said recorder records a first data stream, which is in a field with a high user-viewing frequency, for preference.

12. (Original) A data receiving device according to claim 6, wherein said recorder records a first data stream, which is in a field specified beforehand, for preference.

13. (Original) A data receiving device according to claim 6, wherein said recorder includes a hard disk as a recording medium.

14. (Original) A data receiving device according to claim 6, wherein said recorder comprises an outputter for outputting a user's viewing history visually.

15. (Currently Amended) A transmission device comprising:
transmitting means for transmitting a first data stream, which includes audio data and video data, using a program broadcasting band, and transmitting a second data stream, which is utilized after ~~[[this]]~~ the second data stream is accumulated in a recording media on a receiving side, by allocating ~~[[this]]~~ the second data stream to a data broadcasting band and a transmission rate of the second data stream is lower than a coding bit rate of the second data stream; and
controlling means for controlling the program broadcasting band and the data broadcasting band so that a sum of the bands does not exceed a given bandwidth,
~~———wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps.~~

16. (Canceled)

17. (Currently Amended) A receiving device comprising:
receiving means for receiving a broadcast in which a data stream including audio data and video data is transmitted using a program broadcasting band and other data stream, ~~[[which]]~~ the other data stream is utilized after ~~[[this]]~~ the other data stream is accumulated in a recording media on a receiving side, the other data stream is transmitted using a data broadcasting band to which ~~[[this]]~~ the other data stream is allocated, a transmission rate of the

other data stream is lower than a coding bit rate of the other data stream and the program

broadcasting band and the data broadcasting band are controlled so that a sum of the bands does not exceed a given bandwidth;

~~wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps;~~

separating means for separating the data stream, which has been allocated to the data broadcasting band, from the broadcast that has been received by the receiving means; and
recording means for recording the separated data stream.

18. (Canceled)

19. (Currently Amended) A data transmitting method comprising the step of:
generating a first data stream that is utilized after the first data stream is accumulated in a recording medium on a receiving side;

generating a second data stream that includes audio data and video data; and
multiplexing the first data stream at a first coding rate and additionally
multiplexing the first data stream having the first coding rate into the second data stream by
changing a transmission rate of the first data stream to a second coding rate lower than the first
coding rate;

transmitting [[a]] the multiplexed data stream that has been multiplexed from the first data stream and the second data stream;

wherein said multiplexed data stream is multiplexed in such a manner that [[a]]
the transmission rate for the first data stream becomes lower than that for the second data stream;

~~wherein a maximum combined transmission rate for said multiplexed data stream is 24 Mbps.~~

20. (Original) A data transmitting method according to claim 19, wherein said first data stream includes data relating to electronic-commercial transaction.

21. (Original) A data transmitting method according to claim 19, wherein said first data stream includes audio data and video data.

22. (Canceled)

23. (Currently Amended) A data transmitting method according to claim 74 ~~[[19]]~~, wherein a transmission rate for said first data stream is about 2 Mbps.

24. (Currently Amended) A data receiving method comprising the step of:
receiving a multiplexed data stream that is multiplexed from a first data stream, which is utilized after the first data stream is accumulated in a recording medium on a receiving side, and a second data stream including audio data and video data in such a manner that the first data stream having a first coding rate is multiplexed into the second data stream by changing a transmission rate of the first data stream to a second coding rate lower than the first coding rate wherein a transmission rate for the first data stream becomes lower than that for the second data stream;

~~wherein a maximum combined transmission rate for said multiplexed data stream is 24 Mbps~~

separating the multiplexed data stream, which has been received, into the first data stream and the second data stream; and

recording the first data stream, which has been separated, on a recording medium.

25. (Original) A data receiving method according to claim 24, wherein said first data stream includes data relating to electronic-commercial transaction.

26. (Original) A data receiving method according to claim 24, wherein said first data stream includes audio data and video data.

27. (Canceled)

28. (Currently Amended) A data receiving method according to claim 75 ~~[[24]]~~, wherein a transmission rate for said first data stream is about 2 Mbps.

29. (Original) A data receiving method according to claim 24, wherein a first data stream, which is in a field with a high user-viewing frequency, is recorded for preference on said recording medium.

30. (Original) A data receiving method according to claim 24, wherein a first data stream, which is in a field specified beforehand, is recorded for preference on said recording medium.

31. (Currently Amended) A transmitting method comprising the step of:
transmitting a data stream including audio data and video data, using a program broadcasting band, and transmitting other data stream, which is utilized after [[this]] the other data stream is accumulated in a recording media on a receiving side, by allocating [[this]] the other data stream to a data broadcasting band and a transmission rate of the other data stream is lower than a coding bit rate of the other data stream; and
controlling the program broadcasting band and the data broadcasting band so that a sum of the bands does not exceed a given bandwidth;
~~wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps.~~

32. (Canceled)

33. (Currently Amended) A receiving method comprising the step of:
receiving a broadcast in which a data stream including audio data and video data is transmitted using a program broadcasting band and other data stream, [[which]] the other data stream is utilized after [[this]] the other data stream is accumulated in a recording media on a receiving side, the other data stream is transmitted using a data broadcasting band to which [[this]] the other data stream is allocated, a transmission rate of the other data stream is lower

than a coding bit rate of the other data stream and the program broadcasting band and the data broadcasting band are controlled so that a sum of the bands does not exceed a given bandwidth, ~~wherein a maximum sum of said program broadcasting band and said data broadcasting band is 24 Mbps;~~ and wherein recording the data stream, which has been allocated to the data broadcasting band, from the broadcast received by said receiving step.

34-69. (Canceled)

70. (New) A data transmission device according to claim 1, wherein a maximum transmission rate for said multiplexed data stream is 24 Mbps.

71. (New) A data receiving device according to claim 6, wherein a maximum transmission rate for said multiplexed data stream is 24 Mbps.

72. (New) A transmission device according to claim 15, wherein a sum of said program broadcasting band and said data broadcasting band is 24 Mbps.

73. (New) A receiving device according to claim 17, wherein a sum of said program broadcasting band and said data broadcasting band is 24 Mbps.

74. (New) A data transmitting method according to claim 19, wherein a maximum transmission rate for said multiplexed data stream is 24 Mbps.

75. (New) A data receiving method according to claim 24, wherein a maximum transmission rate for said multiplexed data stream is 24 Mbps.

76. (New) A transmitting method according to claim 31, wherein a sum of said program broadcasting band and said data broadcasting band is 24 Mbps.

77. (New) A receiving method according to claim 33, wherein a sum of said program broadcasting band and said data broadcasting band is 24 Mbps.